

DAVID TYRON JONES,

Plaintiff,

V.

SHELBY COUNTY JAIL and
WESTERN MENTAL HEALTH
INSTITUTE,

Defendants.

No. 2:18-cv-02098-SHL-cgc

**ORDER ADOPTING REPORT AND RECOMMENDATION OF MAGISTRATE
JUDGE CHARMIANE G. CLAXTON**

Before the Court is Magistrate Judge Charmiane G. Claxton’s Report and Recommendation, filed on September 24, 2018, recommending that the Court, *sua sponte*, dismiss Plaintiff’s Complaint for failing to state a claim upon which relief may be granted. Specifically, Judge Claxton recommends dismissal on the grounds that the Complaint is “incomprehensible, irrational and incredible” and “does not assert any coherent claim against any person or entity under any colorable legal theory.” (ECF No. 9 at 5.)

A magistrate judge may submit to a judge of the court proposed findings of fact and recommendations for dismissal of a complaint. 28 U.S.C. § 636(b)(1)(B). “Within 14 days after being served with a copy of the recommended disposition, a party may serve and file specific written objections to the proposed findings and recommendations.” Fed. R. Civ. P. 72(b)(2); see also 28 U.S.C. § 636(b)(1). A district court reviews *de novo* only those proposed findings of fact or conclusions of law to which a party specifically objects. Id.; see also Fed. R. Civ. P. 72(b)(3).

The deadline to object to the Report has passed, and Plaintiff has not filed any objections. The Court has reviewed the Report for clear error and finds none. Therefore, the Court **ADOPTS** the Judge Claxton's Report and **DISMISSES** Plaintiff's Complaint for failure to state a claim upon which relief may be granted.

IT IS SO ORDERED, this 18th day of January, 2019.

s/ Sheryl H. Lipman

SHERYL H. LIPMAN

UNITED STATES DISTRICT JUDGE